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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of :  
G. Gutierrez, et al.  
Serial No.: 10/813,388  
Filed: March 30, 2004  
For: USE ... TOPICAL

:  
: Group: 1617  
:  
: Examiner: Yu, Gina C.  
:  
Hedman and Costigan  
1185 Avenue of the Americas  
New York, NY 10036  
December 18, 2007

**RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action of June 18, 2007, Applicants request reconsideration of the application in view of the remarks presented herein.

The claims in the application are claims 12 to 21, all other claims having been cancelled.

Claims 12 to 17 and 19 to 21 were rejected under 35 USC 102 as being anticipated by the "Synthesis from the Sea" article and claim 18 was rejected under 35 USC 103 as being obvious thereon. The Examiner states that the article teaches a method of using a purified extract from algae, *Padina pavonica* to stimulate via Keratinocytes the